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Attorneys for Secretary of Labor

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS E. PEREZ,¹ Secretary of Labor,
United States Department of Labor,

Petitioner,

vs.

RMRF ENTERPRISES, INC.

Respondent.

) Case No.: 3:13-mc-80059-SI

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**STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE HEARING ON
SECRETARY'S MOTION FOR CIVIL
CONTEMPT**

Hearing Date: April 4, 2014

Time: 9:00 a.m.

Courtroom: 10, 19th Floor

¹ Thomas E. Perez was sworn in as Secretary of Labor on July 23, 2013. Pursuant to F.R.C.P. 25(d) the caption has been changed to reflect his appointment.

1 Petitioner Thomas E. Perez, Secretary of Labor, United States Department of Labor (the
2 “Secretary”) and Respondent RMRF Enterprises, Inc. (“RMRF”) (together the “parties”) hereby
3 consent to the following Stipulation and entry of an Order from the Court in accordance
4 herewith:

5 1. On December 20, 2013, the Secretary filed a motion for civil contempt against
6 RMRF for its failure to comply with this Court’s July 31, 2013 Order to produce documents
7 responsive to the Secretary’s administrative subpoena. The hearing on that motion is scheduled
8 for April 4, 2014.

9 2. On February 24, 2014, RMRF produced approximately 224 pages of documents.
10 The Secretary has been in the process of reviewing this material to determine whether it is
11 responsive to the subpoena.
12

13 3. Following February 24, 2014, RMRF produced an additional 150 pages of
14 documents. In response to a portion of the documents produced, the Secretary has asked for
15 additional productions of various sets of documents, and RMRF and its counsel are currently
16 determining whether such documents exist within the possession, custody, and control of RMRF
17 or its principals.
18

19 4. In light of the fact that RMRF has retained counsel and produced documents, and
20 additional documents are scheduled to be produced on March 31, 2014, the parties stipulate and
21 respectfully request that the Court continue the hearing on the Secretary’s motion for civil
22 contempt by six weeks, to May 16, 2014, or to any time thereafter that is convenient for the
23 Court. Continuing the hearing will allow the Secretary time to properly review all the documents
24 that RMRF produced and will produce.
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5. Continuing the contempt hearing will further conserve the resources of the parties and the Court in the event that RMRF makes a complete production in compliance with this Court's July 31, 2013 Order, and thus moots the need for the Secretary's motion for contempt.

Respectfully submitted,

Dated: March 28, 2014

Dated: March 28, 2014

M. PATRICIA SMITH
Solicitor of Labor

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By: /s/ Rose Darling
ROSE DARLING
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Attorneys for Petitioner,
Secretary of Labor

IT IS SO ORDERED - continued to 5/23/14 @ 9:00 a.m.

3/31/14



HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE